

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,

v.
CR 14 102

IAN FURMINGER, EDMOND ROBLES,
and REYNALDO VARGAS

FILED

FEB 25 2014

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT(S).

INDICTMENT

Count One: 21 U.S.C. § 846 Conspiracy to Distribute Controlled Substances; Count Two: 21 U.S.C. §§ 841(a)(1); 18 U.S.C. § 2 Distribution of Marijuana; Aiding and Abetting; Count Three: 18 U.S.C. § 241 B Conspiracy Against Civil Rights; Count Four: 18 U.S.C. § 371 Conspiracy to Commit Theft Concerning Federally Funded Program; Count Five: 18 U.S.C. §§ 666(a)(1)(A) and 2 B Theft Concerning Federally Funded Program and Aiding and Abetting; Count Six: 18 U.S.C. § 1951 Extortion Under Color of Official Right

A true bill.

J. Achen

Foreman

Filed in open court this 25 day of

Feb 2014

[Signature]

Clerk

Bail, \$ no bail

arrest warrant

for

Robles and

Furmingers

and

Vargas

of

Feb 24, 2014

12

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

SEE ATTACHMENT

- ☐
- Petty
-
- ☐
- Minor
-
- ☐
- Misdemeanor
-
- ☒
- Felony

PENALTY: SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

IAN FURMINGER

DISTRICT COURT NUMBER

CR 14 102

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

FEDERAL BUREAU OF INVESTIGATION

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned)

AUSA RODNEY C. VILLAZOR

IS NOT IN CUSTODY

Has not been arrested, pending outcome this proceeding.

 1) ☒ If not detained give date any prior summons was served on above charges
2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☐ On this charge
 5) ☐ On another conviction

 6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... If Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☒ SUMMONS ☐ NO PROCESS* ☐ WARRANT

Bail Amount: _____

If Summons, complete following:

☒ Arraignment ☒ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Feb. 28, 2014 @ 9:30 AM Before Judge: Elizabeth Laporte

Comments:

PENALTY SHEET
DEFENDANT – IAN FURMINGER

21 U.S.C. § 846 – Conspiracy to Distribute Controlled Substances – 20 years imprisonment, \$1,000,000, 3 years minimum/life maximum supervised release, \$100 special assessment

21 U.S.C. § 841(a)(1) – Distribution of Marijuana - 20 years imprisonment, \$1,000,000, 3 years minimum/life maximum, \$100 special assessment

18 U.S.C. § 241 – Conspiracy Against Civil Rights - 10 years imprisonment, \$250,000, 3 years supervised release, \$100 special assessment

18 U.S.C. § 371 – Conspiracy to Commit Theft Concerning Federally Funded Program - 5 years imprisonment, \$250,000, 3 years supervised release, \$100 special assessment

18 U.S.C. § 666(a)(1)(A) – Theft Concerning Federally Funded Program - 10 years imprisonment, \$250,000, 3 years supervised release, \$100 special assessment

18 U.S.C. § 1951 – Extortion Under Color of Official Right - 20 years imprisonment, \$250,000, 3 years supervised release, \$100 special assessment

~~SEALED~~
~~ORDER~~
FILED
FEB 25 2014
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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PENALTY: SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

DEFENDANT - U.S.

EDMOND ROBLES

DISTRICT COURT NUMBER

CR 14 102**CRB****PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

FEDERAL BUREAU OF INVESTIGATION

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

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Furnishing Information on this form MELINDA HAAG

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) AUSA RODNEY C. VILLAZOR

DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

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Month/Day/Year

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☐ This report amends AO 257 previously submitted
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FILED
FEB 25 2014
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- ☒
- Felony

PENALTY: SEE ATTACHMENT

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO

DEFENDANT - U.S.

REYNALDO VARGAS

DISTRICT COURT NUMBER

CR 14 102**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

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☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District

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☐ Federal ☐ State

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* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

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DEFENDANT – REYNALDO VARGAS

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18 U.S.C. § 666(a)(1)(A) – Theft Concerning Federally Funded Program - 10 years imprisonment, \$250,000, 3 years supervised release, \$100 special assessment

FILED
FEB 25 2014
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MELINDA HAAG (CABN 132612)
United States Attorney

SEALED
JBT

FILED

FEB 25 2014

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CRB

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CR 14 102

UNITED STATES OF AMERICA,

Plaintiff,

v.

IAN FURMINGER, EDMOND ROBLES, and
REYNALDO VARGAS,

Defendants.

No.

VIOLATIONS: 21 U.S.C. § 846 – Conspiracy to
Distribute Controlled Substances; 21 U.S.C. §
841(a)(1) – Distribution of Marijuana; 18 U.S.C. §
241 – Conspiracy Against Civil Rights; 18 U.S.C. §
371 – Conspiracy to Commit Theft Concerning
Federally Funded Program; 18 U.S.C. § 666(a)(1)(A)
– Theft Concerning Federally Funded Program; 18
U.S.C. § 1951 – Extortion Under Color of Official
Right; 18 U.S.C. § 2 – Aiding and Abetting

SAN FRANCISCO VENUE

INDICTMENT

The Grand Jury charges:

INTRODUCTORY ALLEGATIONS

At all times relevant to this Indictment:

1. The San Francisco Police Department ("SFPD") was a duly constituted police agency
engaging in law enforcement in San Francisco, California. SFPD sergeants and officers were authorized
by California law to make lawful arrests and conduct legally authorized searches and seizures within the
City and County of San Francisco.

2. Defendant IAN FURMINGER was an SFPD sergeant. Defendants EDMOND ROBLES

INDICTMENT

1 and REYNALDO VARGAS were SFPD officers.

2 3. During each one-year period relevant to this Indictment, the City and County of San
3 Francisco received benefits in excess of \$10,000 under Federal programs involving grants, contracts,
4 subsidies, loans, guarantees, insurance, and other forms of Federal assistance.

5 COUNT ONE: (21 U.S.C. § 846 – Conspiracy to Distribute Controlled Substances)

6 4. The factual allegations in Paragraphs 1 and 2 are re-alleged and incorporated as if fully
7 set forth here.

8 5. Beginning on a date unknown to the grand jury but no later than on or about February 19,
9 2009, and continuing through at least on or about April 9, 2011, in the Northern District of California,
10 the defendants,

11 IAN FURMINGER,
12 EDMOND ROBLES, and
REYNALDO VARGAS,

13 and other persons did knowingly and intentionally conspire to distribute controlled substances, in
14 violation of Title 21, United States Code, Sections 846 and 841.

15 COUNT TWO: (21 U.S.C. §§ 841(a)(1); 18 U.S.C. § 2 – Distribution of Marijuana; Aiding and
16 Abetting)

17 6. The factual allegations in Paragraphs 1 and 2 are re-alleged and incorporated as if fully
18 set forth here.

19 7. In or about March and April of 2009, in the Northern District of California, the
20 defendants,

21 IAN FURMINGER,
22 EDMOND ROBLES, and
23 REYNALDO VARGAS,

24 each aiding and abetting the others, did knowingly and intentionally distribute a Schedule I controlled
25 substance, to wit: marijuana, in violation of Title 21, United States Code, Section 841(a)(1), and Title
26 18, United States Code, Section 2.

27 //

28 //

1 COUNT THREE: (18 U.S.C. § 241 – Conspiracy Against Civil Rights)

2 8. The factual allegations in Paragraphs 1 and 2 are re-alleged and incorporated as if fully
3 set forth here.

4 9. Beginning on a date unknown to the grand jury but no later than on or about February 19,
5 2009, and continuing through at least November 12, 2010, in the Northern District of California, the
6 defendants,

7 IAN FURMINGER,
8 EDMOND ROBLES, and
REYNALDO VARGAS,

9 and others, while acting under color of law, did willfully combine, conspire, and agree with each other
10 to injure, oppress, threaten, and intimidate individuals they encountered in the course of their official
11 duties, in the free exercise and enjoyment of the rights and privileges secured to them by the
12 Constitution and laws of the United States, namely, the right not to be deprived of property without due
13 process of law.

14 MANNER AND MEANS OF THE CONSPIRACY

15 10. It was part of the conspiracy that FURMINGER, ROBLES, and VARGAS, while
16 executing search warrants, making arrests, and seizing evidence during the course of their work as a
17 sergeant and police officers, respectively, of the San Francisco Police Department, stole money and
18 other valuable items, such as computers, electronic devices, and gift cards belonging to other persons
19 and took such items for their personal benefit and for the benefit of persons other than the rightful
20 owners.

21 All in violation of Title 18, United States Code, Section 241.

22 COUNT FOUR: (18 U.S.C. § 371 – Conspiracy to Commit Theft Concerning Federally Funded
23 Program)

24 11. The factual allegations in Paragraphs 1 through 3 are re-alleged and incorporated as if
25 fully set forth here.

26 12. Beginning on a date unknown to the Grand Jury but no later than on or about February
27 19, 2009, and continuing through at least on or about April 9, 2011, in the Northern District of
28 California, the defendants,

1 IAN FURMINGER,
2 EDMOND ROBLES, and
3 REYNALDO VARGAS,

4 and others, did knowingly and unlawfully combine, conspire, and agree to embezzle, steal, obtain by
5 fraud, convert to the use of a person other than the rightful owner, and intentionally misapply property
6 worth at least \$5,000 and under the care, custody, and control of a local government, FURMINGER,
7 ROBLES, and VARGAS each being an agent of said local government, and said government receiving
8 in each one-year period in excess of \$10,000 under Federal programs involving grants, contracts,
9 subsidies, loans, guarantees, insurance, and other forms of Federal assistance, in violation of Title 18,
10 United States Code, Section 666(a)(1)(A).

11 MANNER AND MEANS OF THE CONSPIRACY

12 13. In their official capacities as a sergeant and police officers, respectively, of the San
13 Francisco Police Department, FURMINGER, ROBLES, and VARGAS seized money, drugs, and other
14 valuable items belonging to other persons.

15 14. Rather than book such money, drugs, and other valuable items as evidence for use in
16 criminal prosecutions, FURMINGER, ROBLES, and VARGAS took possession of such money, drugs,
17 and other valuable items for their personal benefit and for the benefit of persons other than the rightful
18 owners.

19 OVERT ACTS

20 15. In furtherance of the conspiracy and to carry out its objects, FURMINGER, ROBLES,
21 and VARGAS committed or caused to be committed the following overt acts, among others, in the
22 Northern District of California and elsewhere:

23 a. On or about March 2, 2009, FURMINGER, ROBLES, and VARGAS arrested
24 J.F. and seized items from him as part of their official duties. They then took for their own benefit some
25 of the items they seized from J.F., including a \$500 Apple gift card.

26 b. On or about March 4, 2009, VARGAS used the Apple gift card specified in
27 subparagraph (a) to purchase an iPhone and an iPod nano at an Apple Store in San Francisco.

28 c. On or about March 26, 2009, FURMINGER, ROBLES, and VARGAS took for
their own benefit marijuana they had seized as part of their official duties.

1 d. On or about March 26, 2009, VARGAS delivered marijuana to two informants
 2 and instructed the informants to sell the marijuana and split the sale proceeds with himself,
 3 FURMINGER, and ROBLES.

4 All in violation of Title 18, United States Code, Section 371.

5 COUNT FIVE: (18 U.S.C. §§ 666(a)(1)(A) and 2 – Theft Concerning Federally Funded Program
 6 and Aiding and Abetting)

7 16. The factual allegations in Paragraphs 1 through 3 are re-alleged and incorporated as if
 8 fully set forth here.

9 17. Between March 1, 2009, and February 28, 2010, in the Northern District of California,
 10 the defendants,

11 IAN FURMINGER,
 12 EDMOND ROBLES, and
 REYNALDO VARGAS,

13 each being an agent of a local government and each aiding and abetting the others, did knowingly
 14 embezzle, steal, obtain by fraud, convert to the use of a person other than the rightful owner, and
 15 intentionally misapply property worth at least \$5,000, and under the care, custody and control of such
 16 local government, in violation of Title 18, United States Code, Sections 666(a)(1)(A) and 2.

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1 COUNT SIX: (18 U.S.C. § 1951 – Extortion Under Color of Official Right)

2 18. The factual allegations in Paragraphs 1 and 2 are re-alleged and incorporated as if fully
3 set forth here.

4 19. Between in and about August 2011 and in and about August 2012, in the Northern
5 District of California, the defendant,

6 IAN FURMINGER,

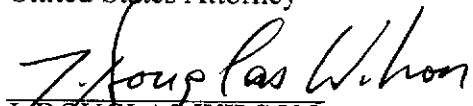
7 did knowingly obstruct, delay, and affect in any way and degree commerce and the movement of articles
8 and commodities in commerce by extortion, that is, by obtaining property from S.S. with S.S.'s consent
9 induced under color of official right, in violation of Title 18, United States Code, Section 1951.

10
11 DATED: 2-25-2014

A TRUE BILL.

12
13 
14 FOREPERSON

15 MELINDA HAAG
16 United States Attorney

17 
18 J. DOUGLAS WILSON
19 Chief, Criminal Division

20 (Approved as to form: )
21 AUSAs Caputo, Hemann, and Villazor